IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.306 OF 2004
IN
APPEAL NO.469 OF 1994
IN
NOTICE OF MOTION NO.3169 OF 1989
IN
SUIT NO.3649 OF 1989

Tukaram Raghunath Kini & Anr. .. Appellant.

V/s.

Bharatsingh Singh Kuber Singh Thakur (since deceased) & Ors. .. Respondents.

And

Pravin Bharatsingh Thakur & Ors. .. Proposed Respdt for deceased Respondent No.1

And

Manohar Atmaram Mhatre & Ors. .. Proposed Respdt for deceased Respondent No.5.

Ms.J.N. Pandhi i/b. Mahesh Jani & Co. for the appellants.

Ms.U.K. Shah i/b. K.D. Shah for respondent Nos.1 & 3.

Mr.Navin Parekh for respondent Nos.5 and 6.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 21ST SEPTEMBER, 2004.

P.C. :

. By consent of the learned counsel for the parties, the chamber summons is granted in terms of

prayers (a), (b), (c) and (d).

2. Prayer (a), (b), (c) and (d) reads thus :

> ‘(a) Delay of 523 days in taking out the present chamber summons be condoned.
>
> (b) That the Appellants be allowed to substitute Respondents Nos.1(a) to 1(f) in place and stead of Original Respondent No.1 as per Schedule annexed to the Chamber Summons herein.
>
> (c) that the Appellants be allowed to substitute Respondents Nos.5(A) to 5(d) be substituted in place and stead of Original Respondent No.5 as per Schedule annexed to the Chamber Summons herein.
>
> (d) The Appellants herein be allowed to carry out consequential amendments as per the abovementioned Schedule.’

3. Necessary amendment be carried out in the appeal within two weeks from today.

4. Post the appeal for hearing after two weeks.

5. The chamber summons stands disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)